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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,723	01/07/2004	RUVIDA GUNAWARDANA	24.0907	1722
23718	7590	05/19/2005	EXAMINER	
SCHLUMBERGER OILFIELD SERVICES 200 GILLINGHAM LANE MD 200-9 SUGAR LAND, TX 77478				KINKEAD, ARNOLD M
ART UNIT		PAPER NUMBER		
		2817		

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/707,723	GUNAWARDANA, RUVINDA
	<b>Examiner</b>	<b>Art Unit</b>
	Arnold M. Kinkead	2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,8-10,19-21,23,26,31,32 and 34 is/are rejected.
- 7) Claim(s) 2-7,11-18,22,24,25,27-30,33 and 35 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01-07-04 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-3,5 and 6 and 14 are objected to because of the following informalities: Claim numbers should be provided. Appropriate correction is required.

In claims 5 and 14, the period between the equations " and " should be placed at the very end of the claim.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,8,9,10,19,20,21,23,26,31,32,34 are rejected under 35 U.S.C. 102(b) as being anticipated by Fry (US 6,127,661).

The reference by Fry discloses an ovenized(thermally insulated chamber) for controlling the temperature of a quartz crystal resonator(14), see figure 1, and col. 7, lines 10-50. A micro-controller(20), sensors(16,17), and heater(18), allow for temperature cycles to be applied and monitored for the resonator, and the " B" mode(temp. rate) frequency operational characteristic of the crystal is measured during the temperature cycles. Data is collected(grouped) and used to correlate(calculate) the thermal characteristic for the specific oscillator assembly(crystal oscillator). Once calibrated, see lines 45-50, a temperature run is performed (" real time" ) to fine

tune thermal gain and thus the desired operational frequency for a particular temperature(temperature dependent frequency). The method steps being inherent to the system as above.

***Allowable Subject Matter***

4. Claims 2-7,11-18,22,24,25,27-30 and 33 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The examiner could not find fair suggestion for the interpolation/extrapolation to derive missing points on a surface as well as defining such a surface in three dimensions using the grouped parameters...using the system subsurface was not suggested.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arnold M. Kinkead whose telephone number is 571-272-1763. The examiner can normally be reached on Mon-Fri, 8:30 am -5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2817



Arnold M Kinkead

Primary Examiner

Art Unit 2817

Arnold Kinkead

May 10, 2005